

FILED

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
CIVIL DIVISION - 17th DIVISION

2005 SEP 2 AM 9:51
PAT O'BRIEN
CIRCUIT COUNTY CLERK

BILLY RICHARDS

PLAINTIFF

VS.

CASE NO. CIV 2005- 11439

HOME DEPOT U.S.A. INC.

DEFENDANT

COMPLAINT

Comes now the Plaintiff, by and through his attorney, Floyd A. Healy, and for his Complaint against the Defendant, states:

1. That the Plaintiff is a resident of Pulaski County, Arkansas.
2. That Plaintiff verily believes and therefore alleges that Defendant is a foreign corporation existing under and pursuant to the laws of the State of Delaware with numerous places of business located throughout the United States.
3. That the accident set forth hereinbelow occurred exclusively within the confines of Pulaski County, Arkansas.
4. That on or about January 14, 2005, the Plaintiff was visiting one of the Defendant's stores located in North Little Rock, Arkansas. While walking through the facility, the Plaintiff tripped and fell on some mesh type material which had been left on the floor by the Defendant and/or the Defendant's employees.
5. That as a result of the fall, the Plaintiff sustained the following elements of damage for which he is now seeking compensation:
 - a. broken shoulder;
 - b. massive contusions;

- c. pain and suffering;
- d. mental anguish; and
- e. permanent impairment to his shoulder and body as a whole.

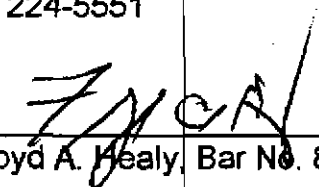
6. That the Defendant was negligent in maintaining their premises for persons known to be invitees in the following manner:

- a. failure to maintain proper walk areas for their patrons;
- b. failure to warn patrons that various objects would be left in the walkways; and
- c. failure to place property in its proper area.

7. To date, Plaintiff has incurred approximately \$17,000 of actual medical expenses.

WHEREFORE, Plaintiff prays for judgment against the Defendant in an amount to exceed that which is required for jurisdiction in federal diversity cases, for all costs and fees associated with the pursuit of this matter, and for all other just and proper relief as determined by this Court.

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By: 
Floyd A. Healy, Bar No. 86086